IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11366 of 2008
MEHRUN NISA & ORS
Versus
STATE OF BIHAR
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2. **2.05.2008** Heard the learned counsels for the petitioner and the State.

The petitioners apprehend their arrest in connection with. Complaint .Case No. 1202/07/E.R 132/07 registered under sections 341, 323, 379, 504, 506, 498A of the Indian Penal Code and ¾ of the Dowry Prohibition Act pending in the court of Sub-Divisional Judicial Magistrate, Madhubani.

It is submitted that petitioner no. 1 is the mother-in-law and petitioner nos. 2 and 3 are the Gotnis and petitioner nos. 4 and 5 are the elder brother of the husband of the informant. It is submitted that petitioner nos. 4 and 5 are the blind and dependant upon their family members. It is further submitted that on perusal of the complaint petition as contained in Annexure -1 it would appear that husband of the informant was married with the son of the petitioner no. 1 about 20 years back and her husband is residing in the Nahiyar of the informant. However, after long he desired to stay separately on which brother-in-law of the informant personally told him to came back and reside in the Nahiyar of the informant to which the husband refused, that led to the filing of this complaint against the petitioners as well as her husband. It is further submitted that on perusal of the above it would appear that no specific allegations have been levelled against the petitioners of making the alleged demand. The demand, if any, is against the husband of the complainant as alleged in paragraph 7 of

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the Complaint. In the above circumstances, the prayer is made on behalf of the petitioners that they deserve for grant of anticipatory bail otherwise they will put to unnecessary harassment since they are apprehending their arrest for his fault.

Learned Addl. P.P. appearing on behalf of the State on the other hand opposes the prayer for bail, however he is not in position to refute the submissions advanced on behalf of the petitioner.

Having considered the submissions and on perusal of the allegations levelled in the first information report as well as the averments made in the Petition, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners, namely, Mehrun Nisa, Samina Khatoon, Tabassum, Md. Haider and Md. Yasin be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Madhubani in connection with Complaint Case No. 1202 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Jagdish **(Shailesh Kumar Sinha, J.)**